

ZONING BOARD OF APPEALS
February 3, 2010

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held in the Courtroom of the Town hall on Wednesday, February 3, 2010.

Members Present: Richard Puskar, Chairman
Michael Muir, Carl Scarpelli and alternates Dennis Miko and William Malmstedt

The following is a brief summary of the meeting. The complete record is on tape, on file in the office of the Zoning Board of Appeals.

A quorum being present the Chairman called the meeting to order at 7:37 p.m.

In the absence of Commissioners Savino and Vitrella, Dennis Miko and William Malmstedt were designated as the fourth and fifth voting members for tonight's meeting.

Application #10-2 – William McCreary, 408 Shelton Road

Pursuant to Art. VI, Sec. 1.5(b) and Section 14-54 of the General Statutes of the State of Connecticut, application for certificate of approval of location for a General Repairer's License.

The applicant, William McCreary of 74 Linton Street, Stratford, presented the application. Mr. McCreary conveyed his intentions to reopen the existing garage. He specified that the shop would be for automobile repairs only.

Upon inquiry, the applicant indicated that he was aware of the prior conditions of approval and that they were acceptable. He informed that there would be no hours of operation on Sundays and only limited hours on Saturday to 12:00 p.m.

Public Comments

The owner, Arlene Kelly-Kranz of 12 Juniper Ridge Road and Jim Sayball of 500 Oldfield Road, Fairfield spoke in favor. They noted Mr. McCreary's professionalism as a businessman and believed that his establishment would be an asset to Trumbull.

John Berky of 412 Shelton Road and John Mellish of 386 Shelton Road, the two abutting property owners, had blight concerns as the garage lies within a residential area. They asked that controls be put in place to ensure that the area is kept clean and orderly.

Application #10-3 – Edward A. Jensen, 6746 Main Street

Pursuant to Art. VI, Sec. 1.5(b) and Section 14-54 of the General Statutes of the State of Connecticut, application for certificate of approval of location for a General Repairer's License.

Edward Jensen residing at 9 Yankee Hill Road, Monroe addressed the Board. Mr. Jensen relayed that he hopes to re-open the subject auto repair garage, which closed approximately two months ago. He submitted into the record an up-dated A-2 survey of the property.

The proposed hours of operation were 7 a.m. – 5 p.m. Monday through Friday and Saturday 7 a.m. – 12 p.m. The garage would be closed the first Saturday of the month and also on Sundays. The applicant agreed to all conditions of the prior approval and confirmed that no gasoline or retail operations would be conducted from the premises.

Public Comment

Adam Patzuk of 243 Broadway Road and Jose Negreiro, the developer of the abutting Colonial Village, were concerned of a possible negative impact to the area. They requested that conditions be put in place to protect the surrounding neighbors.

This concluded the Public Hearing.

Regular Meeting

Tonight's applications were reviewed and the Commission took action as follows.

Application #10-2 – William McCreary, 408 Shelton Road

MOTION MADE (Muir) and seconded (Malmsted) to APPROVE Application #10-2 SUBJECT TO THE FOLLOWING SPECIFIC CONDITIONS.

1. The hours of operation shall be as follows:

Monday thru Friday - 7:00 a.m. to 5:00 p.m.

Saturday - 7:00 a.m. to 12:00 p.m.

Sundays - Closed

2. No gasoline shall be sold from these premises.
3. No convenience store shall be permitted on the premises.

4. No commercial vehicles, trailers or construction equipment are to be stored on site.
5. All other conditions to be maintained according to previous approvals granted for this operation/location.
6. Customer or business parking of no more than twelve cars shall be permitted overnight and on Sundays.
7. Storage of vehicles shall not exceed thirty days.
8. No parking of customer or business vehicles shall be permitted closer than twenty feet away from the street curb line.
9. All business vehicles shall be parked inside, or behind the building, at night and on Sundays.
10. All major repairs shall be done inside the garage.
11. All trash and garbage shall be hidden behind a screen. Excess used tires and oil must be taken off the premises and not be allowed to accumulate.

Any violation of, or non-compliance with, conditions previously imposed, conditions and requirements as stated above, the zoning regulations of the Town of Trumbull, and/or any other provisions of law applicable to the service station or premises, shall result in immediate termination of the rights granted herein and the rights to use the premises as a service station.

Vote: Unanimous (Puskar, Malmstedt, Miko, Muir, Scarpelli) MOTION CARRIES

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Monday thru Friday – 7:00 a.m. – 5:00 p.m.

Saturday – 7:00 a.m. – 12:00 p.m.

Sunday – Closed

2. No gasoline shall be sold from these premises.
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There being no further business to discuss a motion was made by Commissioner Scarpelli and seconded by Commissioner Muir to adjourn. The February 3, 2010 meeting of the Zoning Board of Appeals adjourned at 8:30 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog

Clerk of the Zoning Board of Appeals